

REMARKS

With the cancellation of claims 20-22, claims 1-9 and 23-28 are pending, in which claims 1 and 8-19 were withdrawn from consideration by the Examiner as a result of a restriction requirement. Claim 2 is amended by inserting the claim elements of claims 20-22.

Claim Rejections -- 35 U.S.C. 102

Applicants respectfully traverse the anticipatory rejections of claims 2-4, 20 and 23-25 over Formato (US 6,248,469 or WO 9/10165). Without acquiescence with the rejections, in order to advance prosecution, applicants have moved the elements of claims 20-22 to claim 2. Withdrawal of the anticipatory rejections is requested because Formato does not disclose every element of claim 2.

Claim Rejections -- 35 U.S.C. 102/103

Applicants respectfully traverse the anticipatory/obviousness rejections of claims 5-7, 27 and 28 over Formato (US 6,248,469 or WO 9/10165). Without acquiescence with the rejections, in order to advance prosecution, applicants have moved the elements of claims 20-22 to claim 2. Withdrawal of the anticipatory/obviousness rejections is requested because Formato does not disclose or suggest every element of claim 2. There would not have been any motivation to modify the disclosures of Formato to arrive at the claimed inventions, and there would not have been any reasonable expectation that the modifications, if made, would work.

Claim Rejections -- 35 U.S.C. 103

Applicants respectfully traverse the obviousness rejections of claims 21, 22 and 26 over Formato (US 6,248,469 or WO 9/10165). The cancellation of claims 21 and 22 renders the rejections of these claims moot. Without acquiescence with the rejections, in order to advance prosecution, applicants have moved the elements of claims 20-22 to claim 2. Withdrawal of the

obviousness rejections is requested because Formato does not suggest every element of claim 2, let alone claim 26, and the prior art does not suggest modifying Formato's disclosures to arrive at the invention of claim 2 or 26. There would have been no reasonable expectation that the modification, even if done, would work.

Claim Rejections -- 35 U.S.C. 103

Applicants respectfully traverse the obviousness rejections of claims 2-7, 20 and 23-25 over Suzuki (JP 2002-203576) in view of McGrath (WO 02/25764). The cancellation of claim 20 renders the rejection of claim 20 moot. Without acquiescence with the rejections, in order to advance prosecution, applicants have moved the elements of claims 20-22 to claim 2.

Withdrawal of the obviousness rejections is requested because Suzuki in view of McGrath does not suggest every element of claim 2, and the prior art does not suggest modifying the disclosures of Suzuki in view of McGrath to arrive at claim 2. There would have been no reasonable expectation that the modification, even if done, would work.

PTO-1449 Form

Attached to the Office Action is a Form PTO-1449 with the Examiner's initial next to a citation of an International Search Report. Applicants note that the Form PTO-1449 was for U.S. Patent Application No. 10/552,176, NOT for the instant application, Serial No. 10/530,965. In checking the PAIR of Serial No. 10/530,965, applicants note that the PTO-1449 was filed with an IDS on April 27, 2006 by someone who did not work for Kenyon & Kenyon LLP. The Form PTO-1449 and IDS were erroneously placed in the electronic records of application Serial No. 10/530,965 (see the IDS item with a Mail Room Date of May 1, 2006 in PAIR for Serial No. 10/530,965). Applicants request that the Form PTO-1449 and IDS of Serial No. 10/552,176 be expunged from the records of application Serial No. 10/530,965.

CONCLUSION

In the event that the filing of this Amendment along with a petition for a one-month extension of time is deemed not timely, applicants petition for an appropriate extension of time. The Commissioner is authorized to charge extensions of time and any other fees determined to be due (with the exception of the issue fee) and to credit any overpayment to Deposit Account No. 11-0600.

The Examiner is invited to contact the undersigned at (202) 220-4268 to discuss any matter concerning this application.

Respectfully submitted,
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